

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

LINDSAY E. WEINBERG,

Plaintiff,

vs.

SALLIE MAE BANK, NAVIENT
CORPORATION, NAVIENT
SOLUTIONS, LLC, NAVIENT
CREDIT FINANCE CORPORATION,
and JOHN DOES, INC. 1–10,

Defendants.

CV 23-123-BLG-SPW-TJC

ORDER

On November 6, 2023, Defendants Navient Corporation, Navient Credit Finance Corporation, and Navient Solutions, LLC (“Defendants”) filed a Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6). (Doc. 5.)


On December 11, 2023, Plaintiff filed its First Amended Complaint (“FAC”). (Doc. 20.)

On December 20, 2023, Plaintiff and Defendants filed a Consent to Filing of Amended Complaint and Stipulation for Extension of Time, wherein the parties consented to the filing of Plaintiff’s FAC and Defendants agreed to waive any objections to its timeliness under Fed. R. Civ. P. 15. (Doc. 21.) Further, the parties requested that the Court deny Defendants’ Motion to Dismiss as moot and grant Defendants an extension of time to respond to the FAC. (*Id.*) Accordingly,

IT IS ORDERED that Defendants' Motion to Dismiss (Doc. 5) is **DENIED**
as moot.

IT IS FURTHER ORDERED that Defendants shall have until **January 19, 2024**, to respond to Plaintiff's FAC.

DATED this 20th day of December, 2023.



TIMOTHY J. CAVAN
United States Magistrate Judge